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MAY 31 2024

Dated: 28 May 2024, Warsaw, Poland

U.S. BANKRUPTCY COURT
BY  **DEPUTY**

TO:

THE UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF TEXAS

THE HONORABLE SHAD M. ROBINSON, UNITED STATES BANKRUPTCY JUDGE,

Homer J. Thornberry Federal Judicial Building,

903 San Jacinto Boulevard, Suite 322

Austin, Texas 78701

Respectfully submitted BY:

SMARTDUST SP. Z O.O.

Sądowa 2/11,

20-027 Lublin, Poland ("**Smartdust**")

e-mail: rafal@smartdust.me

T: +48 696 535 409

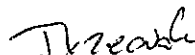
IN RE: ASTRALAB, INC. (debtor), Case No. 23-10164-smr, Chapter 7

**OBJECTION TO THE SELL PROCEDURES - DENIAL OF THE VALIDITY OF INCLUSION
SMARTDUST ON THE LIST OF WARRANTS (EXHIBIT "1")**

Pursuant to the NOTICE OF ENTRY OF ORDER (I) APPROVING NOTICE, SALE, AND EXECUTORY CONTRACT PROCEDURES FOR SECOND SALE OF DESIGNATED SECURITIES AND WARRANTS, FREE AND CLEAR OF ALL LIENS, CLAIMS. AND ENCUMBRANCES; AND (II) SCHEDULING FINAL SALE HEARING issued by this Court ("**Notice**"), the undersigned SMARTDUST, which is listed on the list of warranties' issuers listed on Exhibit "1" to the Notice ("**Exhibit "1"**"), hereby denies the correctness and validity of including SMARTDUST on the "Exhibit 1" list of entities that issued warrants in favor of the ASTRALABS, Inc., d/b/a "Newchip" ("**Debtor**") as null and void as having no legal bases.

Smartdust declares that it has never concluded any agreement with the Debtor, including any acceleration agreement, and accordingly has not issued any warrant to the Debtor.

Smartdust conducted preliminary talks about using the services provided by the Debtor, but ultimately decided not to use these services. The resignation from further talks was clear and





expressed via e-mail immediately after receiving the offer. Moreover, Smartdust received confirmation - also via e-mail - that the Debtor acknowledges the fact that the parties did not cooperate. The debtor said goodbye to Smartdust, inviting us to talks if Smartdust changed its mind, which never happened. For avoidance of any doubts, Smartdust has never signed any contract with the Debtor, nor has it paid any sum to the debtor.

E-mail messages confirming the above state of affairs constitute attachments to this letter.

Smartdust certifies that all statements made by Smartdust on this letter and any attachments hereto are, to the best of Smartdust's knowledge, true and correct. Accordingly, Smartdust requests the Court and Trustee to remove Smartdust from the list of warrant issuers listed in Exhibit "1" as groundless and to deny the sale motion regarding Smartdust, as well as to terminate Smartdust's participation in the given debtor's bankruptcy proceedings.

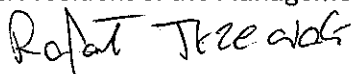
The above Smartdust's declaration was submitted to the Trustee of these proceedings accordingly.

Undersigned on behalf of SMARTDUST duly represented by

Yours sincerely,

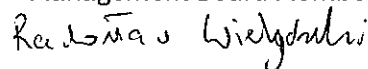
Rafał Trzeciak

CEO & President of the Management Board



RADOSŁAW WIELGÓRSKI

Management Board Member



Attachments:

1. E-mail messages proving termination of talks between Smartdust and Debtor without entering into agreement
2. Certificate of service

Od: Rob DaLee <robert.dalee@newchip.com>

Data: 30 marca 2023 o 16:01:15 CEST

Do: Rafał Trzeciak <rafal@smartdust.me>

Temat: Odp: Welcome to Newchip - Congratulations on your acceptance!

Rafał,

Thank you for letting me know. That is unfortunate to hear but I understand. If things do change please let me know, we'd love to work with you when that time comes. Best of luck to you and your team in the months to come and look forward to hearing updates on your growth!

All the best.

Rob



newchip
LAUNCH TO EXIT

Rob DaLee
Admissions Director
Admissions | Newchip Inc.

☎ **+1 (919) 301-9181**
✉ robert.dalee@newchip.com
🌐 www.newchip.com

On Thu, Mar 30, 2023 at 4:04 AM Rafał Trzeciak <rafal@smartdust.me> wrote:

Hi Rob,

I'm afraid we won't be proceeding with the admission.

Our CFO used his veto right, and the rest of the management agreed with him. I am outnumbered. The current consensus is that putting our cash reserves into the program is too risky right now.

We may recheck our financial status and our availability within 6 months.

Best,

Rafał



Rafał Trzeciak | CEO

a: SmartDust | al. Jana Pawła II 20 / 1002 / 00-133 Warszawa
e: rafal@smartdust.me | www.smartdust.me
m: +48 666 535 409



Trzeciak

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On Tue, Mar 28, 2023 at 9:11 PM Robert DaLee <robert.dalee@newchip.com> wrote:
Rafal,

I had a chance to present SmartDust for review and was able to secure you a seat in the Newchip Accelerator!

I am looking forward to our meeting tomorrow so I can provide some more information on the program and what the next steps entail to secure your seat so we can get to work for you!

Again, congratulations - looking forward to touching base again soon!

Cheers,
Rob



Rob DaLee
Admissions Director
Admissions | Newchip Inc.



+1 (919) 301-9181
robert.dalee@newchip.com
www.newchip.com

Handwritten signature: J. Zeeval

Handwritten mark: A stylized 'X' or signature.

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
—AUSTIN— DIVISION

IN RE: ASTRALAB, INC.

	§	
	§	
	§	Chapter 7
	§	
	§	
Debtor(s)		
ASTRALABS, Inc., d/b/a "Newchip"	§	Bankruptcy Case No.
	§	23-10164-smr

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on the 29____day of May, 2024, a copy of the OBJECTION TO THE SELL PROCEDURES - DENIAL OF THE VALIDITY OF INCLUSION SMARTDUST ON THE LIST OF WARRANTS (EXHIBIT "1"), and all related attachments, was served on

Jay H. Ong
Texas Bar No. 24028756
Beverly A. Bass
Texas Bar No. 24125116
MUNSCH HARDT KOPF & HARR, P.C.
1717 West 6th Street, Suite 250
Austin, Texas 78703
Email: jong@munsch.com, bbass@munsch.com

Counsel for Randolph N. Osherow, Chapter 7 Trustee appointed by THE UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF TEXAS, THE HONORABLE SHAD M. ROBINSON, UNITED STATES BANKRUPTCY JUDGE,

Dated: 29 May 2024

By: Rafat Treable
Radosław Widomski